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Attorneys for Defendant GROCERY OUTLET, INC.

[Additional counsel listed on signature page]

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GARDEN MEADOW, INC., a Connecticut
Corporation,

Plaintiff,

v.

GROCERY OUTLET, INC., a California
Corporation doing business as GROCERY
OUTLET and as IDEAL DISTRIBUTING

and

JOHN DOES Numbers 1 through 99,

Defendants.

) Case No. 5:12-cv-04811-LHK (PSG)

) **STIPULATION OF DISMISSAL AND**
) **[PROPOSED] ORDER**

) Complaint Filed: September 13, 2012

Plaintiff Garden Meadow, Inc. (“Garden Meadow”) and Defendant Grocery Outlet, Inc., a
California Corporation doing business as Grocery Outlet and as Ideal Distributing (“Grocery
Outlet”), by and through their respective attorneys, hereby stipulate to a dismissal of this action

1 with prejudice as to Grocery Outlet and without prejudice as to John Does Numbers 1 through 99,
2 pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. Each party shall bear its own
3 costs and attorneys' fees.

4 WHEREFORE, the parties respectfully request that this Court issue an Agreed Order of
5 Dismissal.

6 **IT IS SO STIPULATED.**

7 Dated: May 8, 2013

SEILLER WATERMAN LLC

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24 Attorneys for Plaintiff
25 GARDEN MEADOW, INC.

26 Dated: May 8, 2013

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27 By: /s/ Sanjay M. Nangia

28 Sanjay M. Nangia

Attorneys for Defendant
GROCERY OUTLET, INC.

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Pursuant to Local Rule 5-1 and General Order 45 X B, I am the ECF user whose identification and password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from stipulating plaintiff. I have retained records to support this concurrence for subsequent production for the Court, if so ordered, or for inspection upon request by a party, until one year after the final resolution of the action (including appeal, if any).

By: /s/ Sanjay M. Nangia
Sanjay M. Nangia
Attorneys for Defendant
GROCERY OUTLET, INC.

DAVIS WRIGHT TREMAINE LLP

AGREED ORDER OF DISMISSAL

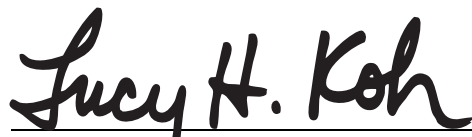
The Court, having considered the stipulation of the parties, and good cause appearing therefore, orders as follows:

1. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the claims asserted by Plaintiff Garden Meadow, Inc. ("Garden Meadow") are dismissed with prejudice as to Defendant Grocery Outlet, Inc., a California Corporation doing business as Grocery Outlet and as Ideal Distributing, and without prejudice as to Defendants John Does Numbers 1 through 99.

2. Each party shall bear its own costs and attorneys' fees.

IT IS SO ORDERED.

Dated: May 9, 2013



Hon. Lucy H. Koh

UNITED STATES DISTRICT JUDGE

DAVIS WRIGHT TREMAINE LLP